

10/009705

PCPATEN 28 MAY 2002

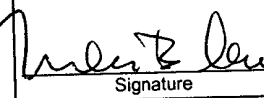
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: SEIFARTH

In re Application of:)
WOLFGANG SEIFARTH et al.)
Appl. No.: 10/009,705)
Filed: November 28, 2001)
For: METHOD FOR THE SPECIFIC DETECTION AND IDENTIFICATION OF RETROVIRAL NUCLEIC ACIDS/RETROVIRUSES IN A SPECIMEN)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on <u>May 23, 2002</u> (Date)	
<u>URSULA B. DAY</u> (Name of Registered Representative)	
 Signature	<u>May 23 2002</u> Date of Signature

S I R:

In accordance with 37 C.F.R. 1.56, applicant wishes to call the attention of the Examiner to the following references A) to I) which were cited in the Office Action issued by the German Patent Office with regard to the corresponding German patent application No. 199 21 419.0. Applicant does not admit that any of the cited documents constitutes prior art against the pending application.

	Country:	Patent or Appl. No:	Patentee or Applicant:	Issue or Filing Date:
A)	Germany	196 05 279 A1	Selacek	08-14-1997
B)	International	WO 99/05527	Conrad	02-04-1999
C)	International	WO 98/23755	Perron	06-04-1998
D)	International	WO 95/21256	Perron	08-10-1995
E)	USA: Journal of Virology, Vol. 72		Herniou	07-00-1998
F)	USA: Journal of Virology, Vol. 69		van der Kuyl	09-00-1995
G)	USA: Journal of Virology, Vol. 67		Medstrand	11-00-1993
H)	Chemical Abstracts Vol. 131			1999
I)	Chemical Abstracts Vol. 124, No. 21			1996

Copies of these references, except for reference G) which was already submitted in a previously filed Information Disclosure Statement are submitted herewith along with form PTO-1449. The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

☐ This Information Disclosure Statement is filed within three months of the filing date of a national application other than a continued prosecution application under 1.53(d), so that no fee under 37 C.F.R. §1.97 is due.

☐ This Information Disclosure Statement is filed within three months of the date of entry of the national stage as set forth in 1.491 in an international application, so that no fee under 37 C.F.R. §1.97 is due.

☒ This Information Disclosure Statement is filed before the mailing of a first Office Action on the merits, so that no fee under 37 C.F.R. §1.97 is due.

☐ This Information Disclosure Statement is filed before the mailing of a first Office

Action after the filing of a request for continued examination under §1.114, so that no fee under 37 C.F.R. §1.97 is due.

☐ This Information Disclosure Statement is filed after the issuance of a first office but before issuance of a final action under §1.113, or a notice of allowance under §1.311.

☐ This Information Disclosure Statement is submitted after the mailing of a final action or a notice of allowance, but before payment of the issue fee.

☐ The undersigned submits the following statement requesting consideration of this statement:

The undersigned hereby states:

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ The fee of \$180.00 set forth in 1.17(p).

- [] The Commissioner is hereby authorized to charge the fee as set forth in 1.17(p), and any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.
- [] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

In order to satisfy the requirement under 37 C.F.R. §1.98(a)(3) for a concise explanation of the relevance of each item of information, applicant herewith submits a copy of page 2 of the German Search Report. In addition, applicant notes with respect to any information that is not in English language as follows:

DE 196 05 279 discloses target specific vectors for the introduction of at least one gene into the cells of an organism comprising a) a non-viral carrier for the gene to be introduced into the cell, b) a ligand, which binds specifically to the desired target cell, c) a fusion protein for the penetration of the vector into the cytoplasm of the target cell and d) the gene to be introduced. Each of the components of the target cell specific vectors have covalent bonds or are bonded through adsorptive bonds.

The above-identified application discloses and claims an invention patentable over this prior art.

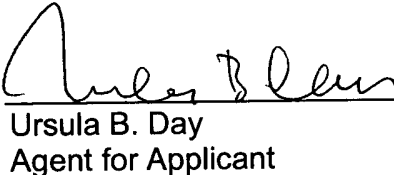
Entry of the references above set forth into the file of the above application is believed to be in order and is respectfully requested.

Docket No.: SEIFARTH
Serial No.: 10/009,705

10/148575
JC16 Rec'd PCW/TC 28 MAY 2002

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

Respectfully submitted

By: 
Ursula B. Day
Agent for Applicant
Reg. No. 31,084

Date: May 23, 2002
350 Fifth Avenue
Suite 3220
New York, N.Y. 10118
(212) 244-5500
UBD:be

INFORMATION DISCLOSURE CITATION

Attorney's Docket No. SEIFARTH	Applicant Ruprecht Karls Universität Heidelberg	Int. Appl. No. PCT/DE00/01071
Int. Filing Date April 4, 2000	Group	Examiner

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date, if appropriate

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation
	DE 196 05 279.3	08-14-1997	Germany			
	WO 99/05527	02-04-1999	International			
	WO 98/23755	06-04-1998	International			
	WO 95/21256	08-10-1995	International			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Elisabeth Herniou et al.: "Retroviral Diversity and Distribution in Vertebrates", Journal of Virology, Vol. 72, No. 7, July 1998, pages 5955-5966
		Antoinette v.d. Kuyl et al.: "Full-Length Proviruses of Baboon Endogenous Virus ...", Journal of Virology, Vol. 69, No. 9, September 1995, pages 5917-5924
		Chemical Abstracts, Volume 131, 1999, pages 258
		Chemical Abstracts, Volume 124, 1996, page 358

Examiner:**Date considered:**

*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.